



PATENT  
Attorney Docket No. 101.0056-02000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 5 - 2002

U.S. Patent of:

Gary K. Michelson

Patent No.: 6,428,542

Issue Date: August 6, 2002

For: SINGLE-LOCK ANTERIOR  
CERVICAL PLATE

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(Serial No.: 09/618,037)

(Filed: July 17, 2000)

Certificate

SEP 04 2002

of Correction

Certificate of Correction Branch  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: August 30, 2002

I hereby certify that:

1. Request for Issuance of Corrected Patent Under 37 C.F.R. § 1.322(b) with attachment
2. 5 sheets of Form PTO-1050 (in duplicate)
3. Self-addressed return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Certificate of Correction Branch  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Date: August 30, 2002

  
Sandra L. Blackmon

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: 703-679-9300  
Facsimile: 703-679-9303



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of: )  
Gary K. Michelson )  
Patent No.: 6,428,542 ) (Serial No.: 09/618,037)  
Issue Date: August 6, 2002 ) (Filed: July 17, 2000)  
For: SINGLE-LOCK ANTERIOR )  
CERVICAL PLATE )

Certificate of Correction Branch  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR ISSUANCE OF CORRECTED PATENT UNDER 37 C.F.R. § 1.322(b)**

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322(b), this is a request for the issuance of a corrected patent for U.S. Patent No. 6,428,542. Two (2) copies of Form PTO-1050 involving five (5) pages each are appended.

The mistakes identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application which matured into this patent. Applicant believes that the errors occurred during the renumbering of the claims prior to printing, and for the Commissioner's convenience, we enclose a table outlining the proper numbering of the claims in association with the changes listed on Form PTO-1050.

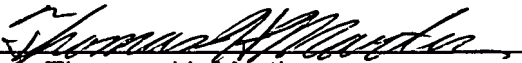
Applicant respectfully requests the Commissioner's consideration in issuing a corrected patent in lieu of a Certificate of Correction. However, if the Commissioner

does not deem a corrected patent appropriate, the issuance of the Certificate of Correction containing the corrections is earnestly requested.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: August 30, 2002

By:   
Thomas H. Martin  
Registration No. 34,383

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: (703) 679-9300  
Facsimile: (703) 679-9303



**CLAIM NUMBER COMPARISON**

PRINTED/ISSUED CLAIM NUMBER	CORRESPONDING ORIGINAL CLAIM NUMBER	DATE OF LAST PRESENTATION	PROPER DEPENDENCY
1	538	March 5, 2002	Independent
2	539	November 19, 2001	1
3	541	November 19, 2001	2
4	542	November 19, 2001	1
5	543	November 19, 2001	1
6	544	November 19, 2001	5
7	545	November 19, 2001	1
8	546	November 19, 2001	7
9	547	November 19, 2001	7
10	548	November 19, 2001	1
11	549	November 19, 2001	1
12	550	November 19, 2001	1
13	551	November 19, 2001	1
14	552	November 19, 2001	1
15	553	November 19, 2001	1
16	555	November 19, 2001	1
17	556	November 19, 2001	1
18	557	November 19, 2001	1
19	558	November 19, 2001	18
20	560	November 19, 2001	1
21	561	November 19, 2001	1
22	650	March 5, 2002	21
23	562	November 19, 2001	21
24	563	March 5, 2002	21
25	564	November 19, 2001	1
26	565	November 19, 2001	25
27	648	March 5, 2002	1
28	649	March 5, 2002	1
29	651	March 5, 2002	1
30	652	March 5, 2002	1
31	653	March 5, 2002	1
32	566	March 5, 2002	Independent
33	567	April 18, 2001	32
34	568	April 18, 2001	32
35	569	April 18, 2001	34
36	570	November 19, 2001	32

37	571	April 18, 2001	32
38	572	April 18, 2001	37
39	573	April 18, 2001	32
40	574	November 19, 2001	39
41	575	November 19, 2001	39
42	576	April 18, 2001	32
43	577	April 18, 2001	32
44	578	April 18, 2001	32
45	579	April 18, 2001	32
46	580	April 18, 2001	32
47	581	April 18, 2001	32
48	583	April 18, 2001	32
49	584	April 18, 2001	32
50	585	November 19, 2001	32
51	586	November 19, 2001	50
52	588	April 18, 2001	32
53	589	April 18, 2001	32
54	656	March 5, 2002	53
55	590	April 18, 2001	32
56	591	March 5, 2002	53
57	592	April 18, 2001	32
58	593	April 18, 2001	57
59	654	March 5, 2002	32
60	655	March 5, 2002	32
61	657	March 5, 2002	32
62	658	March 5, 2002	32
63	659	March 5, 2002	32
64	594	March 5, 2002	Independent
65	595	April 18, 2001	64
66	609	March 5, 2002	80
67	610	March 5, 2002	64
68	611	April 18, 2001	67
69	599	April 18, 2001	64
70	596	November 19, 2001	64
71	597	April 18, 2001	64
72	606	April 18, 2001	64
73	603	November 19, 2001	64
74	604	November 19, 2001	73
75	598	April 18, 2001	64
76	600	April 18, 2001	64
77	662	March 5, 2002	80
78	601	April 18, 2001	64
79	602	April 18, 2001	64
80	607	April 18, 2001	64

81	608	April 18, 2001	80
82	660	March 5, 2002	64
83	661	March 5, 2002	64
84	663	March 5, 2002	64
85	664	March 5, 2002	64
86	665	March 5, 2002	64
87	621	March 5, 2002	Independent
88	622	November 19, 2001	87
89	624	November 19, 2001	87
90	625	November 19, 2001	87
91	626	November 19, 2001	87
92	668	March 5, 2002	91
93	627	November 19, 2001	91
94	628	March 5, 2002	91
95	629	November 19, 2001	87
96	666	March 5, 2002	87
97	667	March 5, 2002	87
98	669	March 5, 2002	87
99	670	March 5, 2002	87
100	630	March 5, 2002	Independent
101	633	November 19, 2001	100
102	634	November 19, 2001	100
103	635	November 19, 2001	100
104	673	March 5, 2002	103
105	636	November 19, 2001	103
106	637	March 5, 2002	103
107	638	November 19, 2001	100
108	671	March 5, 2002	100
109	672	March 5, 2002	100
110	674	March 5, 2002	100
111	675	March 5, 2002	100
112	639	March 5, 2002	Independent
113	642	November 19, 2001	112
114	643	November 19, 2001	112
115	644	November 19, 2001	112
116	678	March 5, 2002	115
117	645	November 19, 2001	115
118	646	March 5, 2002	115
119	647	November 19, 2001	112
120	676	March 5, 2002	112
121	677	March 5, 2002	112
122	679	March 5, 2002	112
123	680	March 5, 2002	112

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,428,542 B1  
DATED: August 6, 2002  
INVENTOR: Michelson, Gary K.

Page 1 of 5

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 30,

~~Claim 4~~, line 1: change "2" to --1--;

Column 31, ~~claim 23,~~

Line 2: change "includes" to --is--; change "one of" to --in part other than--; and change "morpho-" to --.--;

Line 3: delete in its entirety;

Line 4: delete in its entirety;

Column 32,

~~Claim 37~~, line 2: change "inital" to --initial--;

~~Claim 38~~, line 3: change "inital" to --initial--;

~~Claim 39~~, line 2: change "inital" to --initial--;

Column 33, ~~claim 49,~~

Line 3: change "face fir" to --ference fit--;

Column 33, ~~claim 50,~~

Line 6: delete in its entirety;

Line 7: delete in its entirety;

Line 8: delete "overlie the anterior aspect of the";

Column 33, ~~claim 54,~~

Line 1: change "33" to --53--;

Column 33, ~~claim 55,~~

Lines 1-4: rewrite to read as follows:

--The plate of claim 32, wherein said fusion promoting substance is at least in part other than bone.--;

Column 33, ~~claim 56,~~

Line 1: change "52" to --53--;

Column 33, ~~claim 57,~~

Lines 1-5: rewrite to read as follows:

--The plate of claim 32, further comprising bone screws for engaging said plate to the cervical spine, wherein at least a portion of one of said plate, said locking element, and said bone screws is a bioresorbable material.--;

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,428,542 B1  
DATED: August 6, 2002  
INVENTOR: Michelson, Gary K.

Page 2 of 5

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 33, ~~claim 58~~

Line 1: change "52" to --57--;

Column 33, ~~claim 59~~

Line 1: change "52" to --32--;

Column 34, ~~claim 64~~

Line 13: change "insereted" to --inserted--;

Line 15: change "initial" to --initial--;

Column 34, ~~claim 65~~

Lines 1-2: rewrite to read as follows:

--The plate of claim 64, further comprising at least one bone screw having a leading end for insertion into the cervical spine and a trailing end opposite said leading end, said trailing end including a surface generally transverse to a longitudinal axis of said screw, said locking portion contacting said generally transverse surface of said bone screw.--;

Column 34, ~~claim 66~~

Line 1: change "64" to --80--;

Column 34, ~~claim 67~~

Line 1: change "52" to --64--;

Column 34, ~~claim 69~~

Line 4: change "vertebrel" (both occurrences) to --vertebral--;

Column 34, ~~claim 70~~

Lines 1-3: rewrite to read as follows:

--The plate of claim 64, wherein said locking portion in the final position covers at least a portion of only one of said bone screw receiving holes.--;

Column 34, ~~claim 71~~

Lines 1-6: rewrite to read as follows:

--The plate of claim 64, wherein said locking portion has a low profile so as to not interfere with overlying tissues and adjacent vessels and neurological structures when said locking portion is in the final position.--;



**CERTIFICATE OF CORRECTION**

PATENT NO: 6,428,542 B1  
DATED: August 6, 2002  
INVENTOR: Michelson, Gary K.

Page 3 of 5

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 34, claim 72,

Line 1: delete "system" and change "69" to --64--;

Column 34, claim 75,

Lines 1-3: rewrite to read as follows:

--The plate of claim 64, wherein at least one end of said plate is configured to cooperatively engage a compression tool for movement of at least one vertebral body toward another vertebral body during installation of said plate.--;

Column 34, claim 76,

Lines 1-2: rewrite to read as follows:

--The plate of claim 64, wherein said lower surface of said plate has a concave curvature configured to conform to the anterior aspect of at least a portion of two cervical vertebral bodies.--;

Column 34, claim 77,

Line 1: change "76" to --80--;

Column 35, claim 78,

Lines 1-6: rewrite to read as follows:

--The plate of claim 64, wherein at least a portion of said lower surface is roughened to promote the growth of bone along said lower surface.--;

Column 35, claim 79,

Lines 1-4: rewrite to read as follows:

--The plate of claim 64, wherein at least one of said bone screw receiving holes is configured to form an interference fit with a properly dimensioned bone screw to be received therein.--;

Column 35, claim 80,

Line 1: delete "system" and change "77" to --64--;

Column 35, claim 81,

Line 1: delete "system";

Column 35, claim 85,

Line 3: change "ingtowth" to --ingrowth--;

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,428,542 B1  
DATED: August 6, 2002  
INVENTOR: Michelson, Gary K.

Page 4 of 5

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 35, ~~claim 87~~

Lines 15-19: rewrite to read as follows:

--cervical spine and a trailing end opposite said leading end, at least one of said bone screws including proximate said trailing end a contact surface area generally transverse to the central longitudinal axis of said bone screw--;

Line 26: after ":", insert --each of said bone screw receiving holes having a central longitudinal axis and being adapted to receive one of said bone screws to attach said plate to the cervical spine--;

Column 36,

~~Claim 88~~, line 6: change "plate" to --body--;

~~Claim 92~~, line 2: change "pormoting" to --promoting--;

~~Claim 94~~, line 2: change "morphofe-" to --morphoge- --;

~~Claim 97~~, line 1: change "67" to --87--;

Column 36, ~~claim 100~~

Line 17: change "section" to --sectional--;

Line 20: after "area" insert --at the maximum cross sectional dimension, said contact surface area--;

Line 26: after "cervical" insert --vertebral bodies, each of said bone screw receiving holes having a central--;

Column 37,

~~Claim 110~~, line 1: after "wherein" insert --at least--;

~~Claim 112~~, line 8: change "oppisite" to --opposite--;

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO: 6,428,542 B1  
DATED: August 6, 2002  
INVENTOR: Michelson, Gary K.

Page 5 of 5

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 38.

Claim ~~113~~, line 6: change "og" to --of--;

Claim ~~123~~, line 1: change "122" to --112--.

Mailing Address of Sender:  
Martin & Ferraro, LLP  
14500 Avion Parkway – Suite 300  
Chantilly, VA 20151-1101

PATENT NO. \*\*\*  
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